

# In the Court of Appeals of the State of Alaska

**Walter Allan Forsberg,**  
Appellant,

v.

**State of Alaska,**  
Appellee.

Court of Appeals No. **A-13384**

## **Order**

Date of Order: **5/27/20**

Trial Court Case No. **1KE-18-00027CR**

Attorney Michael Barber, representing the Appellant, Walter Forsberg, has filed a motion asking for the preparation of supplemental transcripts of two audio recordings: State's Exhibit 1 that was played during the superior court proceedings, and Defense Exhibit A that was offered in support of the defense motion to suppress evidence. According to Mr. Barber's motion, Exhibit A was referenced at pages 56-58 in the transcript that has already been prepared and distributed for this appeal, and Exhibit 1 was referenced at page 73. Mr. Barber also requests that be briefing deadline to delayed pending the distribution of the supplemental transcripts requested in his motion.

### **IT IS ORDERED:**

1. Based on the Court's review of the prepared transcript, the request to prepare a supplemental transcript of this State's Exhibit 1 exhibit is **DENIED**. Pages 53 to 70 of the current transcript already contains the transcription of nearly all of State's Exhibit 1 as it was played in the superior court. Although there are a few portions of the exhibit that were not transcribed because the audio played in court was indiscernible, and apparently approximately a minute was not played in court, Mr. Barber offers no explanation why the current transcript is not sufficient for purposes of preparing his opening brief.

2. Defense Exhibit A, contained on a compact disc, was referenced at pages 56-58, nor, apparently, was it played in the superior court; it was however provided to the superior court in support of a motion to suppress. [See Tr. 12] Because the compact disc was made part of the trial court record, the Appellate Court Records Office is directed to make that exhibit's audio contents part of the electronic appellate record. The request to prepare a supplement transcript of that exhibit will be **held in abeyance** until the audio is placed onto the Court's server.

3. The request that the briefing deadline be delayed pending the distribution of the supplemental transcripts requested in his motion is **GRANTED**. The Clerk's Office will issue a new due date for the Appellant's opening brief upon resolution of the motion regarding Defense Exhibit A.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts



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Ryan Montgomery-Sythe,  
Chief Deputy Clerk

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